

REMARKS

The Official Action dated May 31, 2006 has been received and its contents carefully noted. In view thereof, claims 1 and 3 have been amended in order to better define that which is presently set forth by Applicants' claimed invention. As previously, claims 1-3 and 5-16 are presently pending in the instant application with claims 6-16 being withdrawn from further consideration by the Examiner as being directed to a non-elected invention.

With reference now to the Official Action and particularly page 3 thereof, Applicants wish to acknowledge the Examiner's indication that claim 5 has been objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

With reference now to paragraph 2 of the Office Action, claims 1-3 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,793,261 issued to McLeod et al. in view of U.S. Patent No. 6,290,278 issued to Loveland. This rejection is respectfully traversed in that the combination proposed by the Examiner neither discloses nor suggests that which is presently set forth by Applicants' claimed invention.

As can be seen from the foregoing amendments, Applicants' claimed invention is directed to a resin-made floor panel structure for a vehicle floor comprising a floor panel made of a resin integrally formed in a circular spare tire storage space and a trunk board made of resin disposed so as to cover the floor panel, wherein fitting parts are integrally formed in the floor panel and trunk board respectively so as to achieve the closure of the circular spare tire storage space, a peripheral wall of the circular spare tire storage space including an upwardly expanding tapered fitting part about an entire circumference of the peripheral wall and the fitting part of the trunk board has a taper to be engaged with the tapered fitting part. That is, in accordance with Applicants' claimed invention, the upwardly

extending tapered fitting part is formed about an entire circumference of the peripheral wall of the circular spare tire storage space, and a circular fitting part of the trunk board has a taper to be engaged with the entire circumference of the circular spare tire storage space. In doing so, it is possible to achieve a very tight closure of the spare tire storage space. It is respectfully submitted that the combination proposed by the Examiner neither discloses nor remotely suggests this feature.

Specifically, in rejecting Applicants' claimed invention, the Examiner recognizes that McLeod et al. clearly fails to show a peripheral wall of the spare tire storage space as including an upwardly expanding tapered fitting part and that the fitting part of the trunk board has a taper to be engaged with the tapered fitting part. In view of this deficiency, the Examiner relies on the teachings of Loveland which the Examiner states teaches a peripheral wall of the spare tire storage space including an upwardly expanding tapered fitting part, and a fitting part of the trunk board has a taper to be engaged with the tapered fitting part. While the upwardly extending peripheral wall of the spare tire storage space in Loveland may include a slightly outwardly flared upper portion, the peripheral wall itself does not include an upwardly extending tapered fitting part. Further, trunk board of Loveland fails to include a taper to be engaged with the tapered fitting part of the spare tire storage space. The trunk board of Loveland is nothing more than a planar board which overlies the opening of the spare tire storage space as specifically illustrated in Figs. 6 and 7. It may be that the Examiner is interpreting the wheel well 34 of Loveland as "the peripheral wall of the spare tire storage space" of the present invention, and the flap 78 of the trunk liner 7 as "the fitting part of the trunk board having a taper to be engaged with the tapered fitting part." However, according to the disclosure of the Loveland reference, the taper engagement is only achieved between the inside wall of wheel well 34 and flap 78. It is not possible to achieve a tight

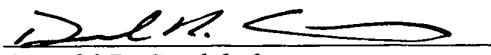
closure of the spare tire storage space. The flap 78 is provided to allow for easy removal of the spare tire, as described in column 3, lines 52-54 of the Loveland reference.

Consequently, it is respectfully submitted that the combination proposed by the Examiner neither discloses nor suggests a floor panel made of a resin integrally forming a circular spare tire storage space and a trunk board made of resin disposed so as to cover the floor panel wherein fitting parts are integrally formed in the floor panel and trunk board respectively so as to achieve the closure of the circular spare tire storage space, a peripheral all of the circular spare tire storage space including an upwardly expanding tapered fitting part about an entire circumference of the peripheral wall and the fitting part of the trunk board having a taper to be engaged with the tapered fitting part of the circular spare tire storage space. Moreover, it is noted that the spare tire storage space of Loveland is not circular and clearly the trunk board fails to include a fitting part having a taper to engage with the tapered fitting part of a circular spare storage space. Should the Examiner maintain the current rejection of Applicants' claimed invention, it is respectfully requested that the Examiner specifically point out where Loveland teaches that the fitting part of the trunk board includes a taper to engage with the taper fitting part of the spare tire storage space as specifically recited by Applicants' claimed invention.

Therefore, in view of the foregoing it is respectfully requested that the objection and rejection of record be reconsidered and withdrawn by the Examiner, that claims 1-3 and 5 be allowed and that the application be passed to issue.

Should the Examiner believe a conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone counsel to arrange such a conference.

Respectfully submitted,


Donald R. Studebaker
Reg. No. 32,815

Nixon Peabody LLP
401 9th Street N.W.
Suite 900
Washington, D. C. 20004
(202) 585-8000